

REMARKS

Claims 1-32 are currently under consideration. Claims 33-38 have been withdrawn from consideration at this time as being drawn to a non-elected invention.

Claims 1-2, 6-9, 13-15, 17, 19-21, 25, and 27-28 stand rejected under 35 U.S.C. 102(b) as being anticipated by Fulkerson (U.S. 5,628,536). The Examiner states that Fulkerson discloses a bumper assembly for a motor vehicle comprising a bumper structure having bumper beam 16 adapted for attachment to a frame of a motor vehicle, a hitch receiver 20 attached to the bumper beam, and a bumper cover for concealing the bumper beam and having an opening for accessing hitch receiver. The Examiner states Fulkerson further includes an access door, 42 for selectively concealing the hitch receiver, with the access door being mounted to the bumper structure such that the access door is movable from a closed position to an opened position. Applicant respectfully traverses this rejection and requests that claims 1-2, 6-9, 13-15, 17, 19-21, 25 and 27-28 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

Fulkerson does show a trailer hitch having a cover attached thereto. Fulkerson does not, however, teach a bumper beam having a hitch receiver attached to the bumper beam. Fulkerson does not teach a bumper cover concealing the bumper beam and having an opening for accessing the hitch receiver. Rather, Fulkerson teaches a bumper 14 and a separate trailer hitch, 12, mounted to a separate cross beam 16. Thus, Fulkerson comprises nothing more than prior art trailer hitch grafted onto the underside of the vehicle bumper and having a plastic add-on cover attached thereto. As such, Fulkerson cannot comprise a colorable basis for rejection of Applicants' claimed invention under 35 U.S.C. 102(b).

It seems clear that Fulkerson neither teaches nor suggests applicant's claimed invention. Rather, Fulkerson teaches an add-on bumper cover which simply cannot function in a manner of applicant's claimed invention because it is merely applied to a hitch and does not have anything at all to do with either the vehicle's bumper cover or with a hitch receiver attached to a bumper beam. It is further noted that the hitch receiver of

Fulkerson, including his cross beam 16, is attached to frame of the vehicle at its ends by means of brackets 18 such that the hitch hangs under the bumper in a fashion which is quite unlike that of applicant's claimed invention. In essence, Fulkerson teaches away from the claimed invention as set forth in independent Claims 1, 14, and 20. As a result, each of the claims 1-2, 6-9, 13-15, 17, 19-21, 25, and 27-28 should be passed to issue over the Examiner's rejection. Such action is earnestly solicited.

Claim 29 stands rejected under 35 U.S.C. 103(a) as being patentable over Fulkerson in view of Holka, et al. The Examiner states that Fulkerson discloses claimed invention except for a living hinge, and for this he looks to Holka. Applicants respectfully traverse this rejection and request that Claim 29 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection. Claim 29 depends ultimately from Claim 20, which has all the limitations recited previously regarding the bumper cover and bumper beam, and the access door. Thus, the proffered rejection of Claim 29 is subject to the same infirmities with respect to Fulkerson as previously described in connection with Claims 1, 14, and 20. Holka, which relates to a plastics chin spoiler, cannot serve to cure such infirmities, and Applicants respectfully submit that neither Fulkerson, nor Holka, whether taken singly or in combination with each other, either teaches or suggests Applicant's claimed invention. Holka's contribution is a chin spoiler which has a living hinge. Holka teaches nor suggests anything about a trailer hitch nor a bumper cover nor a bumper beam, nor anything connected with Applicants' claimed invention. As a result, Claim 29 is allowable over the Examiner's rejection should be passed to issue. Such action is earnestly solicited.

In sum, each of the claims remaining in this case is believed to be in condition for allowance and should be passed to issue. Such action is earnestly solicited.

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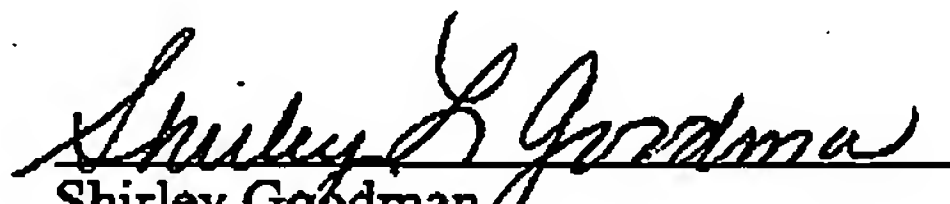
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I hereby certify that the enclosed Amendment is being faxed via (703) 872-9306 to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of September, 2004.


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